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| Interview Summary | Application No. | Applicant(s) | |
| | 10/817,010 | NUGENT, GORDON WALKER | |
| | Examiner | Art Unit | |
| | Frank Vanaman | 3618 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) Frank Vanaman. (3) _____

(2) Gordon Nugent. (4) _____

Date of Interview: 19 October 2007.

Type: a) Telephonic b) Video Conference
c) Personal [copy given to: 1) applicant 2) applicant's representative]

Exhibit shown or demonstration conducted: d) Yes e) No.
If Yes, brief description: _____

Claim(s) discussed: 78.

Identification of prior art discussed: _____.

Agreement with respect to the claims f) was reached. g) was not reached. h) N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



10/22/07
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant has proposed an amendment after Final Rejection adding further limitations to the claims, including a limitation of the locking portions being slidable. The examiner noted that such a change would very likely not be entered after Final Rejection in that it constitutes a non-trivial change in scope, and one for which no previous prosecution history is clearly provided. The examiner noted that Seydel teaches lock elements which may be positioned at different locations (compare alternate embodiments shown in figs. 1A and 5), as such Seydel anticipates the location of the locks in different locations on the spine, which may serve as an implicit teaching that at least repositioning, if not movability, of the locks is desirable. Applicant further stressed that Seydel teaches lock elements which are shorter than a length of a basket to be positioned adjacent the cart (so as to fit over the edge of a basket without interfering with the corners) and continued, noting that the lock portions of the inventive cart were also intended to be shorter than the wall of a basket to be positioned adjacent the locks of the inventive cart. Some further discussion continued with the examiner noting that Seydel's drawings were not scaled, and as such, as assertion as to a particular angle involved in placing the baskets on the cart or a relative length of the lock portion with respect to an intended basket to be used with the invention may not be helpful in patentably defining over the prior art. The examiner additionally noted that continued presentation of broad claims, when met with continued prior art rejections, may give an indication that a more narrow claim is required to define beyond the prior art .